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BY HAND

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: BENFEY *et al.*

Application No.: 09/265,585

Group Art Unit: 1646

Filed: November 5, 1998

Examiner: E. Kemmerer

For: SCARECROW GENE, PROMOTER AND USES THEREOF Attorney Docket No.: 5914-066-999

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**TRANSMITTAL OF SUBSTITUTE SEQUENCE LISTING UNDER 37 C.F.R. § 1.821
AND AMENDMENT UNDER 37 C.F.R. § 1.111**

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

In response to the Communication, dated November 6, 2001, issued in connection with the above-identified application, a copy of which is enclosed, and in accordance with Rule 111 of the Rules of Practice, Applicants submit herewith a Substitute Sequence Listing in paper and computer readable forms to replace the damaged and/or unreadable diskette previously filed. Applicants also respectfully request entry of the following amendments and remarks.

Transmittal of Substitute Sequence Listing under 37 C.F.R. § 1.821

The Substitute Sequence Listing corrects inadvertent errors and omissions discovered in the previous Sequence Listing, filed on January 18, 2001, in connection with the above-identified application.

I hereby state that the content of the paper and computer readable copies of the Substitute Sequence Listing, submitted in accordance with 37 C.F.R. §§ 1.821(c) and (e), respectively, are the same. I hereby state that the submission herein under 37 C.F.R. § 1.821(g) does not include new matter.

Amendment Under 37 C.F.R. § 1.111

Please enter the following amendments and remarks.

In the Specification:

Please insert pages 1-113 of the Sequence Listing following the Abstract of the Disclosure.

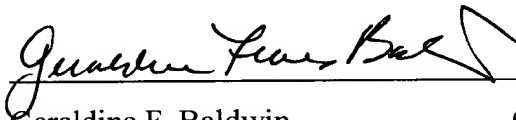
Remarks

The specification has been amended pursuant to 37 C.F.R. § 1.111 to incorporate the Sequence Listing submitted herewith. The above-made amendments contain no new matter.

Applicants respectfully request that the amendments and remarks made herein be entered and made of record in the file history of the present application.

Respectfully submitted,

Date: December 5, 2001


Geraldine F. Baldwin 31,232
(Reg. No.)

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Enclosures